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February 27, 2015

JOHN J. MEEHAN

Honorable Andrew L. Carter, Jr.  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Guzman v. P.O. Brian Jay*  
*10 Civ. 6353 (ALC)(JCF)*

Your Honor:

I represent plaintiff Noel Jackson Guzman in the above-referenced civil rights action brought pursuant to 42 U.S.C. § 1983. I write now to follow up on the telephone conference held on February 4, 2015. On February 5, 2015, the parties filed a motion in the Second Circuit Court of Appeals, pursuant to Federal Rule of Appellate Procedure 12.1(b), seeking remand of jurisdiction in this case back to this Honorable Court. The motion has since been granted. See Ex. A, Order granting motion to vacate, dated February 27, 2015.

Accordingly, the parties respectfully move, pursuant to Fed. R. Civ. Pro. 60(b), to vacate the judgment entered on October 20, 2014 against defendant Police Officer Brian Jay, as per the terms of the settlement. Granting such a vacatur would serve in the interest of judicial economy, and would help alleviate the Court's heavy docket and free up valuable judicial resources. See *Am. Home Assur. Co. v. Kuehne & Nagel (AG & CO.) KG*, No. 06 Civ. 6389 (JLC), 2010 WL 1946718, at \*2 (S.D.N.Y. May 7, 2010) ("[T]o allow vacatur here would avoid the expenditure of scarce judicial resources, both in the Court of Appeals, and potentially in this Court"). Should the Court vacate the Judgment, the parties will timely file a stipulation of settlement with the Court.

I thank the Court for its consideration of this request.

Respectfully submitted,

John J. Meehan